THE COURTS.

Charge of Scuttling a Ship-A Lawyer in Trouble-The Viele Divorce Suit-A Costly Chair-The Evans Habeas Corpus Case-Doing

a ontracted Business in the Court of General Sessions.

UNITED STATES DISTRICT COURT. sudge Blatchford sat yesterday in the United States District Court for the purpose of trying Admiralty causes; but no case being quite ready, he adjourned the Court cut this morning.

UNITED STATES DISTRICT COURT -- IN ADMIRALTY. Calender for This Day. 200-Thomas E. Richards vs. the Schooner Anne

Eliza S.

207—John Kiernan vs. J. J. Austen et. al.

208—De Witt C. Pickert vs. Smith.

201—Edwin Corsen vs. Steamb at Wyoming.

202—William Bostelman vs. Aune E. Kermit.

210—Same vs. Same.

Boston, Newport and New York Steamboat Company vs. Propelier occanus.

UNITED STATES COMMISSIONERS' COURT. Charge of Scuttling a Ship.

Before Commissioner Osbern.
The United States vs. Leach.—The defendant, who had been captain of the ship Euterpe, was charged with having scuttled and destroyed that vesset while on a voyage from Callso Falmouth, England. The particulars, far as they have been given, have been already published in the HERALD. It appeared from the evidence adduced yesterday that the captain, who has been in Liverpool, when he heard of the charge against him, came forward and volun-United States authorities in this city: that he remained on the vessel while the water was fast gain-; that finally the men, from over exertion, became worn out, and that then the captain, seeing to the mate of putting the vessel out of the track of other ships. The vessel then went down, and subsequently the captain, with flateen men, put of in a boat, taking some hard biscult as provisions, and they subsisted on this for ten days, being obliged to wring the salt water out of the biscult when going to use it. The sea was heavy, and this obliged them to throw some articles out of the boat to lighten it. It is supposed that the log book was among the articles thus lost, The men finally reached a port on the Brazilian coast. It was claimed by the prosecution that the vessel was cast away by the defendant for the purpose of obtaining the insurance maney; but the defendant explains this by staining that the freight was worth \$3,000, and the insurance, which had been effected for advances after he had salted, and therefore entirely without his knowledge, amou ted only to \$33,000. The further hearing of the case was additured the Commissioner stating that the fact of the captain having surrendered himself voluntathe captain having surrendered himself volunta

Before Commissioner Shields.

The Unit a states vs. E. J. And rson .- The detained two fraudulent bondsmen on a bond in relation to internal revenue matters. The testimony offered yesterday by a revenue assessor was to the effect that he had ascertained that one of the parties whose name was stried to the bond did not reside or do business at the place mentioned in the bond, neither did he own the property described therein. The further hearing or the case was adjourned.

SUPREME COURT CIRCUIT-PART 2.

Probable Termination of the Viele Divorce Before Judge Brady.

Egbert L. Veile es. Teresa Vuele. - This case was the first on the calendar. The Judge asked if there was any motion to be

made in this case,
Mr. Harrison, for the plaintiff, said they had no motion to make, although they understood the defendant had. The plaintiff was ready for trial out the defendant was not; but she had made them a proposition which, if compiled with, would give them aid the shostantial results of a trial in favor of the plaintiff. With the view of avoiding the saundat of a trial of the case in open court, and to give the dending the opportunity to carry out the proposi-tion suc had made they had consented, at her re-quest, to an additionment of the case till the first Monday of becember, when the case will be tried if the defendant does not carry out her proposition

by that time.

The Judge said that the case would be so marked

COURT OF DYER AND TERMINER.

At the assembling or the Court of Oyer and Ter-

miner yesterday morning the petit jury was dis-The Grand Jury brought in a batch of indictments,

but all for alleged commissions of the ordinary run of crimes, and some, as some anticipated, against

parties charged with being implicated in the intoly discovered gigantic peculations upon the city and county exchequer.

There were nineteen indictments presented; eleven for grand larceny, two for burglary, two for larceny from the person, two for rape and one each for forgery and retonious assault and battery. All the prisoners were arraigned, and, with one exception, bleaded not guilty of the charges preferred against them.

against them.

SENTENCED.

Lizzie Rogers acknowledged a theft of forty dellars, and was sent to the Pententlary for one year. The Court adjourned till to-morrow. In the futry of vacating their seats one of the spectators overturned a chair.

"Se care in!," said the Judge, "and not break that chair, as it has already cost the city \$400,000 to repair it." his saily elicited general laughter as the spectators left the court room.

SUPREME COURT-SPECIAL TERM. Contest for Alimony and Counsel Fees In a

Olvorce Suit. Before Judge Cardozo. Renssalaer B. Winchell vs. Eliza Winchell.-Tho

plaintiff in this case optained a decree of divorce. which was subsequently opened. The defendant applied for alimony and a reserce, to whom the case applied for allmony and a reserve, to whom the case was referred reported in favor of granting her \$10 a week alimony from the time of bringing the action and payment of counsel fee, the whole amounting to \$840. On the report coming up for confi mation the plaintiff oppo ed the same, claiming that he was unable to pay any such sum. He also proposed to read affidavits snowing three adulteres on the part of the defendant not specified in the original complaint. The Court took the papers, reserving its decision.

SUPREME COURT-CHAMBERS. Decision.

By Judge Ingraham. Richard E. Sprague vs. Jacitt M. Sprague, -Report of referee confirmed and divorce granted.

SUPERIOR COURT-SPECIAL TERM. An Old Churca Suit Revived.

Before Judge Jones. The Madison Avenue Baptist Church vs. the Officer Street Baptist Church, -This case will be remembered as one turning on the right of trustees to wholly dispose or their courch building, and having been sent to the Court of Appeals. It now comes back to this Court, the former judgment being re-versed. It came up on a motion to set the case down for trail. The motion was granted and the trial set down for next week.

SUPERIOR COURT-SPECIAL TERM.

The Evans Haboas Corpus Case-The De-

Authorities-important Decision.

In the matter of the application of George O. Evans, the Pennsylvania claim agent, to be discharged on nabeas corpus, Judge McCunn yesterday rendered an opinion, holding the alleged defaulter for trial in Pennsylvania. The facts in this case are as follows:—The prisoner Evans is charged before the tribunals of Pennsylvania with emoczziement en the following amdavit by the Treasurer of that

Commonwealth vs. George O. Erans.—Empezzie mento—I outh of Robert W. Mackey. Treasurer of the State of Pennsylvania, deposing that on the 22 day of Marca. A. D. 1861. George O. Vans, of the city of Philadelphia, was appointed by the Governo of Said State a Special agent by virtue of joint resolution of the Legislature of said Commonwealth, approved the 22d day of March

Pennsylvania against the United States, which had before that time been filed in the proper department at washington; that the said George O. Evans, by virtue of his employment as said agent, received certain moneys on account of said claims from the said United States, to wit: On the 2d day of May, A. D. 1867, the sum of \$136,846; on the 18th day of Apri, 371, the sum of \$136,846; on the 18th day of Apri, 371, the sum of \$137,82; on the 18th day of May, 1871, the sum of \$242,167; and on the 2d day of June, 1871, the sum of \$242,167; and on the 2d day of June, 1871, the sum of \$295,753. And that the said George O. Evans on the several days and time, aforesaid, at the county of Daushim, in the State of Fennsylvania, did wholly neglect, fail and refuse to account for the said several sums of money so collected and secured by him, by wirthe of mis employment as special agent aforesaid, and did then and there fraudulently embezzie a large part of said moneys so received by him as aforesaid; did fraudulently take and convert the same to his own use, or to the use of some other person or persons whose names are to this deponent unknown, to will the same to the fish day of August, 1871, at the county of Daushim, aforesaid, deponent and the Audifor General demanded payment of the said sun from said George O. Evans, and that the said George O. Ivans has thence nitherto falled to comply with said re in St. contrary to the form of the act of Assemby in such cases made and provided a dagainst the peace and dignity of the Commonwealth of Pennsylvania.

R. W. MACKEY, State Treasurer.

and against the peace and dignity of the Commonwealth of Pennsylvania.

R. W. MACKEY, State Treasurer.

Sworn and subscribed before me this 30th day of August, 1871.

D. A. KEPNER, Alderman.

Upon this state of facts a warrant was issued by the authorities of Pennsylvania, and upon that warrant and affidavit the Governor of Pennsylvania issued his request to the Governor of New York asking the Executive of our State to aid and assist in returning Evans as a lugitive from justice in that State. To the request of Governor Geary Governor Hofman promptly responded by ordering the arrest and return of the lugitive at once. Evans then procured a wri of habeas corpus from this Court asking for his discharge, and alleging as a principal ground for such discharge that the allegations set forth in the allidavit of the State Treasurer do not, by the laws of Pennsylvania, constitute a crima.

JUDGE M'CUNN'S OFINION.

After according to this case the consideration which its importance and difficulty demand, I have concluded not to discharge the presoner. By section two, article four of the lederal constitution it is made the duty of the State executives to deliver up a person characed with treason, felony or other crime in the State whence he has escaped. By an act of the 12th February, 1793, Congress prescribed what occasion and by what means the surrender of the lugitive criminal shall be effected. By that act two conditions, and two conditions only, are made indispensable to a legal and imperative demand for the delivery of the fugitive, namely: disk, the production of a copy of an indictment found or affidavit be certified as authorities by the Executive of the State whence the prisoner: that such demand was accompanied and supported by an affidavit charging the prisoner with a criminal offence against the laws of Pennsylvania, and that the prisoner to the curimal offence against the laws of Pennsylvania, and that the prisoner to the curimal of surrender issued by the chief magistrate of New York. In this circumstance h formal and sufficient warrant of surrender issued by the canel magistrate of New York. In this circumstance have I any alternative but to remand the prisoner to the custody of those who hold him in charge or the authorities of Pennsylvania? It is not pretended that I have any jurisdiction to institute inquiry as to the truth of the accusation alleged against the prisoner, but the contention is that I should inspect the affidavit, and if the facts exhibited appear insufficient to constitute a crime that I should deriver him from custody. But as I conceive it suffices it the affidavit accuse him of a crime against the laws of Pennsylvania, and I have no more authority to hear a demurrer to the sufficiency of the charge than to try an issue of fact as to his guilt. The presumption is that II the silegation of crime be either deficient in substance or laise in fact the prisoner will be acquitted by the courts of vennsylvania. It is not for me on this proceeding to adjudicate upon the laws of Pennsylvania, not have I any commission to try offenders against the peace and dignity of that commonwealth. By the plant and peremptory provisions of the federal constitution and the act of 178.3 it is not duty to remand the prisoner if it appear that he be head in pursuance of the demand and surrender prescribed by the statute. Upon any other construction of the law that obligations of the States to surrender fugitives from justice wound become an ide and angatory requirement. In 1839 the Governor of this state remeal to deliver up a fugitive from Virginia, charged in Virginia with the offence of stealing slaves, on the ground that he such crime was known to the law of New York, but Chinocalor Kent reputated the position of Governor Seward as obviously and utterly untenable. (I Kint Comm. 37, note.) And of the same opipion was the Legislature of New York. (Laws of New York, but Chinocalor Kent reputated the position of Governor Seward as obviously and utterly untenable. (I Kint Comm. 37, note.) And of the same opipion was the

crime against the laws of that state. In the State vs. Schlemm (4 Harr, 571) Chief Justice Booth declared that if, in return to the writ of habeas corpus, it appeared the prisoner was arrested and committed in conformity to the provisions of the act of 1793, the Court or Judge had no afternative but to remand him into custody. See also matter of Adams (7 Law kep., 3-6).

Thus, as well upon authority as by force of the express provision of law, I conclude it is my duty to remand the prisoner. In so deciding I nor but carrying into enect the peremptory mandate of the constitution and acting in obe-tience to those ootingations of comity which should ever suesist and be operative among the States of the Calon. Should itseance the chastisement privoked by the offence of which he is accused. Should the event prove him gunitiess of crime, it is not to be dubted but the impartant and intelligent judiciary of Pennsylvania will give him a sale deliverance.

SUPERIOR COURT-TRIAL TERM-PART I. Suit for Damages Against a Contractor, Before Judge Barbour.

Seidenberg vs. Peter E. Flizpatrick.-On the 31st of December, 1368, the plainthr fell into an exeavated sidewalk in front of No. 25) First avenue. made by the defen lant, a contractor. He injured his knes and sues for \$1,000 damages. The defendant says it was contributive negligence. The jury brought in a scaled verdet.

Nathanica sides for the plaintiff and W. McDermott for the defendant.

COURT OF COMMON PLEAS-SPECIAL TERM.

By Judge Robinson. Phillips vs. Watts,-Motion to consolidate denled, with \$10 costs.

costs, to abide event. By Judge Larremore.

Satdlaw vs. Gilmorc.—Allowance of five per cent on \$341 86.

MARINE COURT. Action for Salary.

Lindsey vs. Lee et at. - The plaintiff was engaged in July, 1869, by the firm of Lee, Tweedy & Co., dry goods merchants, as a general salesman for the term of one year, at a salary of \$2,000 per year, and was discnarged in the January following. He brings this suit to recover \$500 salary from the time of his discharge till his obtaining other employment. The employment and discharge are admitted, but the desence of intoxication and inationion to business set up. Various witnesses were called who testaled to his being absent for days at a time on different occasions, and this being under the inducence of figure in defendant's place of business. Plaintaidence being absent except on the occasion of his whe's lineas, and contradicts the evidence as to intoxication, offering the testimony of former salesmen of the house to the effect that he was never seen by them there under the inducence of liquor. term of one year, at a salary of \$2,000 per year, and

COURT OF GENERAL SESSIONS.

A Female Pickpocket sent to Sing Sing-A Broadway Shoplifter Locked up for Five Years-Conviction of Auother Emigrant

The first case tried yesterday was an indictment against Maria Riley, who was convicted of picking the pocket of Mrs. Street while looking into a window upon Broadway on the 18th of September. The pocketbook contained \$12 in money and a diamond ring worth \$250. The prisquer was sent to the State

Prison for four years.
Susan Lockwood was found guitty of stealing, on the store of A. T. Stewart & Co., which was found in her possession. She confessed to the detective that she stole it.

When arraigned for sentence she admitted to the

Court that she was bad, but pleaded for mercy on account of her four little children.

The RECORDER SAID it would be cruelty to them and to the community to let her go, from the fact that she was ateeped in crime. Since she was twelve years of age, continued the Recorder, you have been a thief, have been in the House of Refuge and State Prison and married a State Prison convict. The extreme penalty of the law, which is five years in the State Prison, was imposed.

The next case presented to the jary by Assistant District Attorney Sulfivan was more than usually interesting and important. During the present term Oscar Davis and John Leopold have been convicted of stealing 560 from an English emigrant and 500 from another young companion at a bogus ticket office in Liberty street. They were promptly sentenced to the State Prison for five years each, the Recorder naving no sympathy with emigrant thieves, who are consumity fleeding emigrants. Michael Ryan, jointly indicted with Davis and Leopold, dressed in fine broadcloth and nursing an elegant mustache, was tried for being associated in the commission of the infreuty. Charles Hal, William Fetty and Charles Milard, the witnesses for the prosecution, told their story, which was the same as has been aiready published—now Leopold met them at Jersey City and brought them to this ticket office, where Davis, who was behind the counter, snatched their money and stole a portion of it. The leaturing was ocing perpetrated and threat-ned to kick the emigrants out of the olice it they assorted that they lost any money there, and sent out Leopold for a potterman.

Millard swore that about two weeks since, while in the court room, Ryan engaged in conversation with him and asked what he was going to do about the case, intimating that if he would swear that he believed they (he and his confe lerates) were not the money and put him on the boat. Ryan went upon the stand and denied that he had an interview with Millard, and also asserted that, although present when the Englishmen were in him offered by the incorder the jury rendered a verdict of guilty without leaving

watered the proceedings with more than ordinary interest.

Marcus Raymond, charged with burgiariously entering the premises of Daniel Richter, 127 Heary street, on the sth of September, and steading \$450 worth of neckties, pleaded guilty to an attempt at burgiary in the third degree. The property was recovered. Raymond was sent to Sing Sing Prison for two years and six months.

ASSAULT WITH A ENIPE.

Daniel Bow, who, on the 13th of June, cut William Failace in the hip with a knife, pleaded guilty to an assault with a dangerous weapon, and was sent to the State Prison for one year.

AN ACQUITTAL.

Frank Heiliker was charged with wounding Francis Brinkman in the forehead during a difficulty which the complainant had with a party who came into his lager beer saloon, at 1,275 Third avenue, on the 27th of last April. The testimony developed the fact that it was a man named Reynolds who used the knife, and the jury rendered a verdict of not guilty.

TOMBS POLICE COURT.

The Shine-Merrill Fight-Seizure of Indecen Prints in Centre Street and Arrest of the Vender-A Clever Case of Swindling in Ref-

ercure to a Gold Diamond Pin.
An examination was made yesterday into the harges preferred by Dr. Merrill against Dr. William Shine, both residents in the lower part of Greenwich street, where they carry on their profession. As that on the evening of the 27th of September last Shine first threatened him in the street, and subsequently fired two shots at him from a revolver, from the window of his (Shine's) residence, with intent to take his life. Maximilian Weil and Dr. Merrill both testified as to the ract, the latter's evidence taking several sheets of foolscap, but embodying nothing of public interest beyond what has been aiready stated. Dr. Shine's testimony will be taken to-day, when Judge Hogan will probably make some disposition of the case.

For a long time past Superintendent Kelso has daily been in the receipt of communications from the heads of families residing in various parts of the city, complaining that of late their children have city, complaining that of late their children have had in their possession numerous obscene prints and photographs calculated to destroy all moral feeling, and that after investigation and inquiry they found in most cases the purchases were made from the store of Whitian Simpson, at 57 Jentre street. But any one having occasion to pass through Centre street at almost any hour of the day can receive ocular demonstration of the existence of the disgusting pictures, which for months part have been faunted in this busy thoroughlare; and from the large crowds of persons of all ages constantly in front of the store, viewing and discussing the merits of the various representations, it is certain that a more effective current could not be employed to

the officers went into the store, arrested Simpson and gathered up about a thousand of the most fitty and demoralizing photographs, besides a number of low books. If such things are permitted, and men are allowed to tradie in this one of the worst species of immorality, all the efforts and effect of the great educational institutions of the city will be rendered futile. Simpson was taken before Judge Hogan, at the Tombs, and immediately committed to answer in default of \$1,000 bad.

A curious case of swinding has been presented to the notice of the authorities, On the 8th of last month deorge C. Stanley, of No. 138 East furly-second trees, at the request of a female, whose name for reasons cannot be given, went into the office of William C. Brandon, No. 708 droadway, and released a gold diamond pin, which she said she had left as security for a loan some time previous. Stanley paid \$675 for it, and this was in consequence of representations made by the woman that she was in very poor circumstances, fiable to be ejected from her house in consequence of the non-payment of rent. She asked him to do this as a special favor, and told him that the pin was worth at least \$1,000. At the time Brandon assured him the arbicle was well worth \$900. From some remarks made by Brandon. Stanley thought he might possibly have been duped, and at once took the pin to some expert, who examined it and pronounced it to be

to some expert, who examined it and pronounced it to be

WORTH NO MOBE THAN \$300.

He went back to Brandon and told him be bad been swindled and demanded the instant return of his money, out the latter quietly refused to return a cent and told him he should listen to "no such stuft." Patting everything together Stanley came to the conclusion that the job had been nearly put up between the woman and Brandon, who, he maintained, knew the true value of the pin and agreed to divide the money between them when the pin was released. He said the woman's appearance and earnest plea for him to buy the ticket induced him to enter into the business. He stated his case to Judge Dowing last week and obtained warrants for the arrest of the pariles. Festerday morning Captain Irving, of the detective force, accompanied by Officer Neving, succeeded in arresting Brandon at his place of business, and took him before Judge Dowling, who remanded him for a few days, when some starting developments will be made in reference to the affair.

FOREIGN SCIENTIFIC NOTES.

A new dipping needle has been invented by M. Joule, in which the axis, instead of metallic supports, bangs on slik loops, whereby friction is avoide d.

At the meeting of the German Astronomical Society, recently held at Stutigart, reports were read from various observatories of the observations of stars carried out on a common plan.

read from various observatories of the observations of stats carried out on a common plan.

A submarine cable has just been laid between Honfieur and be thoe, latended to establish communications between the first named town and Havre. The steaming Vulcain, which had the wire on board, completed the operations in five hours.

The scientific examination of Mr. Grote's head, which has been made by Professor Marshall, has revealed the fact that the brain of the deceased historian was remarkably small, but it is said to be rich in convolutions. Professor Marshall's report will puzzle the phrehologists.

Two ships belonging to the Swedish navy, the gunboat ingegard and the brig orladam, arrived at Plymouta from Greenland a couple of weeks back, having on board three aerolites, the largest weighing nearly thirty tons, which are to be conveyed to sweden and made the subject of close investigation.

The expedition to the North Pole with the Boreal is about to be carried out, notwinstanding the death of Captain Lambert. The new enterprise has been undertaken by the Geographical Society of Paris. The vessel is at Havre, ready to start, and the new chief of the expedition is also mand Lambert.

A Lombard telegram in the London Observence.

A Lombard telegram in the London Observ A hombard telegram in the London Observe, says:—Mirraileuses on a new system, invented by General vortod, have been distributed for experimental practice to several infantry regiments in Poland. The pieces are drawn by three or four horses, the accompanying ammunition wagon required to serve the pieces, which fire from 300 to 400 rounds per minute, or 6,000 in twenty-four minutes, allowing for pauses and interruptions, the range extending to 4,000 paces. An artillery officer is nitiached to every infantry regiment to direct the management of the mitrailieuses. The reports of the officers are very favorable, the effect being such as they say no force will be able to withstand. AN IMPORTANT WILL CASE IN CHICAGO.

The Wife of the Rebel General Simon Bollver Buckner Receives \$1,000,000-Reminicences of the war.

[From the Chicago Tribune, Oct. 7.] An important case has been decided by the Su-reme Court affecting the ownership of all the real estate which is known as the Kingsbury estate, and divides that estate between the heirs of Major Julius nall interest in the property of which her father died possessed. The property consists of lots 5 and seum, and the block of buildings running north from Randolph street to the aller midway to Clark, formerly occupied by the Pribune, as well as all of m., which lies east of the north branch of the Chical River and south of the centre of Ontario street The value of the property may be estimated over one million of dollars. The estate by the re-ceiver, John Woodbridgel, about a week since, pre-chased the building on the South Clark street from

over one million of dolars. The estate by the receiver, John Woodbridge, about a week since, purchased the building on the South Clark street front for \$21,990.

Julius J. B. Kingsbury, who owned the property, died on the 2-du day of June, 15-8, leaving to survive him a widow, Jane C. Kingsbury, and two children, Mary K. Buckner, wife of Simon Bolivar Bucaner, of Kontacky, as ex-officer of the Confederate army, and Henry W. Kingsbury. To these the property descended, dower to the widow and the fee to the children as tenants in common. The son, Henry W., a heutenant in the United Scates service, married one Eva Taylor, on the 4th day of December, 1861. The estate was manuaged by ceneral Burnside in the interest of the parties until the war broke out. When the rebellion commenced Buckner, inving in Kentucky, and being a brizadier of the militia of that state, under Governor Magotin, desired by some means to preserve to his wife her Chicago property, the more especially as he being about to join the rebel army feared that confiscation would follow. Henry W. Kingsbury being in the United States Army as a heutenant, and being north of Mason and Dixon's line, obtained porrelasion to join the forces of Connecticut, and attached himself to a regiment of its troops as colonel. Fearing this 'confiscation, by reason of her husband's distoyalty, Mrs. Buckner, on the 15th day of May, 1861, joined her mus and in a deed, absolute upon its face, conveying her interest in all the property which had descended to her. The war progressed until the 17th day of September, 1-62, when, at Antietam, Henry W. Kingsbury was killed. Three months, less one day, after he had died, there was born-to nim a posthamous child, who received his father's name. On the 28th day of September, 1-65, the widow Eva remarried, accopting Aibert d. Lawrence, then a general in the war progressed whom the state came into litigation. It was managed without legal authority, by an agent, for a number of years, until the then Judge Brad-

In the year 1800 the estate came into litigation. It was managed without legal authority, by an agent, for a number of years, until the then Judge Bradwell stirred about to see that the probate law was obeyed. The result of this was, at last, that in 1850 proceedings were had to conduct matters according to law. As a consequence of that litigation, which was probably amicable, there was a decree entered of record which found the title in the post-humous child, subject to the dower rights of his mother and grandmother. Fo their uses and the cancellation of incumbrances the income of the estate has ever since been appropriated.

humons child, subject to the dower rights of his mother and grandmother. To their uses and the cancellation of incumbrances the meome of the estate has over since been appropriated.

In the coirse of time it came to be learned that upon the core of time it came to be learned that upon the core of time it came to be learned that upon the core of time it came to be learned that upon the core of time it came to be learned that upon the core of time it came to be learned that upon the core of time it came to be learned that upon the core of the learned that upon the core of the learned to the core of the learned that upon the core of the learned to start upon a military expected "soon to start upon a military expected to the fact of his wishes respecting the disposition of his property of the city of chicago, lib., leat by my father, Julius J. B. Kingsoury, deceased;" to a cousin \$5,000 and some realty at Wateroury, Conn., what he residue to his then wice. It also came to be known that this paper had been witned in the family, so that military expected Ambrose E. Burns de, known to be named as executor, could not obtain it built, by some stringent means, he procured an order in the Surregate's office of New-York, which brought it forward.

When the supposed will was proved to be in existence it was caused to be probated in the Corporation Court of the city of Alexandria, in the State of Virginia, and the record was orought to this state and county and duly recorded.

The legal aspect of the ownership of the estate of virginia, and the record was orough the thirst to prove which she presented the supposed will mit setting on the probate, who was nuthered in law, and, therefore, had supposed that he, she and their mother each were catined to

her what he supposed to be her proper share of their father's property.

In the Ciscuit Court there was no hearing of the case. By agreement of counsel—for the Euckners, Messrs. Boudy & Chandler, and for the Kingsburys, Messrs. Beckwith, Aver & Kales—took a decision pro forma, dismissing Mrs. Buckner's bill, and at once proceeded to the January term of the Supreme Court, sitting at Springfield. The case was argued during that month and now the decision is filed.

The decision finds that the deed of Mary K. Buckner was, in fact, a deed of trust, wherefore that she is the owner of the undivided half of the property known as the Kingsoury estate. A copy of the decision has not yet been received, nor has the Clerk of the Central District announced that it has been filed, out it is anderstood that the cause fell to the lot of Judge McAllister, from this district, to write.

ARGUMENT IN FAVOR OF POLYGAMY.

The Mormon Eider, Orson Pratt, on Plarality of Wives. The following is the closing portion of a discourse

delivered by Eider Orson Pratt in the new Taberna-cle in Sait Lake City on the 20th of August last:— Much might be said in regard to the doctrine of plurality of wives. There is a difference between the main and the female so far as posterity is concerned. The female is so capacitated that she can only be the mother of a very limited number of children. Is man thus capacitated? Was not Jacob, the patharch of old, capable of raising posterity by all his wives? It is certainly was. And were not many of the ancient prophets and inspired men capable of raising twenty, forty difference of them capable of raising twenty. Forty difference of them and only keep once or will they all multiply and spread forth their dominious unner the old patriach white eternal ages shall last? And would a monoganist have power to diff a world with spirits sooner than a polygamist? Which would accomplish the peopling of a world quickest, provided that we admit this eternal increase and the cernal relationship of nussand and wire, after the resurrection as well as in this world? In that state they do not marry nor give in marriage. Why? Because marriage is an ordinance that has to be attended to here, and unless it is secured in this rife for eternity it cannot be secured in the resurrection; for they neither marry nor are given in marriage there. They do not obspitze after the resurrection, they do not confirm and administer the ordinances pettaining to this life after the resurrection, they do not confirm and administer moranger. It a unan would obtain an eternal increase and ternal kings have to be attended to here, then we have a claim to the bessings here and nero-arefer. It a unan would obtain an eternal nero-as and ternal kingsioms without number for his posterity to inhabit, under the direction and control of limit who is king of kings and Lond of lords, he mars secure the right to these bessings in his like. We to the control of the presence of the feel, before desired in the mars and control of limit which add to the control of the presence of the resurrection by virtue of the secure of the resurrection by virtue of the secure

THE DEMOCRACY.

An After View of the Rochester Convention.

The Result Not a Victory for Tammany-The Rural Democracy Firm in Its Opposition to Centralism and Corruption-The Claims of a Tammany Triumph Refuted.

ROCHESTER, Oct. 6, 1871. The Convention is now of the past. The crowds ave gone and the city has settled down again into the old ruts and business goes on as it did before the Convention was thought of. Everybody seems passed off so pleasantly; that nothing was done, either inside or outside, to cause any regrets or cast that everything has settled down it may not be out of place to look back at the assemblage and at the work of the Convention. Of course a grand attempt will be made to show that Tammany ruled the deliberations and controlled the actions of the delegates as much as, if not more than, if she were fully represented on the floor of the Convention. How much foundation there is for this can be seen by my letter on Wednesday it was very evident that the Tammany delegation sent here was sent to be deleated. Colonel Fellows was put on as representative from the First district so in ease it became necessary to make a show. But who was there beside him on the delegation that rural democracy and the dignified eloquence and unanswerable logic of such men as Governor Seybe raised against the

CORRUPTION AND CORRUPT INFLUENCES chy? Where was O'Gorman, the silver-tongued orator? Where were the men who formerly served at conventions, and whose presence honored them? Where was Judge Daly, Judge Brady, August Belmont, James B. Nicholson and hundreds of crats and whose private lives are beyond reproach? No such men figured on the list of Tammany deleor two others who could make a public appearance were present, but what weight would they possess?

tives they would have the effect only of adding to the weight that was ocaring Tammany down. It is nseless to claim, then, that Tammany triumphed or controlled in the late Convention. True, the action on the first day in receiving the document prepared from New York vacant looks at first blush like a victory, but when the record of the Convention was filled what did it show? It showed that the Tammany delegation, admitting that THEY WERE IN DISGRACE

use a very mild term) to show themselves at the Convention and claim recognition and admission, received, ay, more henorably received, than Tammany; that its chosen representative men were

many: that its closen representative men were heard; that its claim and its credentials form part of the minutes, and the very mention of the name of the gentleman chosen first as its leader was received with most unquestionable entunsfam.

It cannot be said that Tammany was recognized, masmuch as no credentials were presented from the Tammany delegation.

TAMMANY WAS NOT ADMITTED and then allowed to withdraw. There was no admission and withdrawal. The Convention entorced a bluthing resolution when it declared the seats of New York vacant, and the majority of those who yoted for it did so with the idea that they were only getting rid of a bad customer. Those who saw through the game and could have so explained if as to insure its deleat were cut off by the operation of the previous question. The semblance of a victory by Tammany on the first day is, therefore, rather questionable. The country members were anxious to our raib of theorems, they did not mend to let the Tammany party rise them this time and they were by no means sparing in the expressions of their indignation when they found that the adoption of the De Witt resolution did virtually cut off all opportunity for the contesting delegation to appear and claim a hearing and possibly admission. It is a well-known fact that had the Tammany delegation appeared and claimed admission they would have been rejected by such a vote as would have astonished them, and have settled beyond a doubt the fact that the democracy have no adliation with municipal corruption, and desire no reliowship with those workers was the expression of the particular over the Tammany leaders.

Look at the platform and see how direct was the

stigmas of venality and fraud such as now hang over the Tammany leaders.

Look at the platform and see how direct was the expression of indignation with which the Convention regarded "the corruption and extravagance recently brought to light in the management of the municipal addits of the city of New York," and the democration as naworthy of CUNTENANCE OR TOLERATION all who are responsible therefor. The applause and enthusiasin with which this denunciation was received snowed that those present recognized the wording of the resolution as a severe and deserved results to the resolution as a severe and deserved results to the resolution as a severe and deserved results to the resolution as a severe and deserved results to the resolution as a severe and deserved results and the other recommendations in the same resolution all show a determined desire to rid the city and state of the Tammany rule.

An attempt is made to show that the endorsement of Governor Hoffman and the RENOMINATION OF THE STATE OFFICERS is to be regalded as a Tammany triumph. What bosh. It is only usual for a state convention to endorse the Chief Executive of the State if he be of the same political persuasion, and aside from that, as Governor Hoffman has carried himself well in

bosh. It is only assal for a state convention to endorse the Chief Executive of the State if he be of the same boilteat personation, and assite from that, as Governor Hoffman has carried himsel, well in the eyes of the people, the Convention could not do less than compliment him and his administration of office. As for the renomination of the other incumbents to the onices they now notif being an endorsement of or compromise with Tammany is simply noisense. True, they were named and ejected white Tammany was in good standing, but not one of them can be said to nave been in any way a tammany than the one of them can be said to nave been in Any Way a Tammany Man.

None of them belong in the section of the State where Tammany has been all powerful—the neighborhood of New York City—and Tammany can certainly claim none of them as her own. An attempt is also made to induce to the benefit that the vote on O'Conor and Champian for Attorney General was a test vote of Tammany and anti-Tammany, and that Tammany was victorious. Into its was impressed on the minude of many that Mr. O'Conor would not accept the nomination; that he could not be minuced to forego his extensive private practice at this piriod of his line to embrace the difficulties of a public officer. Had there been given any assurance whatever that Art. O'Conor would not have been a vote against him. No such assurance having been given, and the fact that the others now holding the offices had been nominated, strengthened Mr. Champiain, and he was chosen after a tight vote. The fact that this

others now holding the offices had been nominated, strengthened Mr. Champlain, and he was chosen after a tight vote. The fact that this could be reduced that one of those who spoke most strongly in favor of champlain, who said he would regard the rejection as a personal insuit if he were Mr. Champlain, and who, with his, delegation, voted for Champlain, was Henry A. Richiaend, who was also one of the most bitter opponents to the recognition of Tammany and a strong advocate of the admission of the reform delegation.

THE ENTIRE ACTION OF THE CONVENTION. In their resolutions adopted and in the basiness of yesterday (Thursday), showed beyond a donot that all united to offset or overrule that part of the work of Wednesday morning which was regarded as a recognition of Tammany. The more sensible ones on the Tammany delegation knew this, as while canvassing for friends they found many on whose private personal mendang they could count, but who assured them they had received positive instructions from their people to vote against the recognition of Tammany and against any action of the Convention which could be regarded as a Tammany measure. There was no mistaking this, and the Tammany folks.

Making A virture of Necessity, did not attempt to lake their seats in the Convention. The unanimity with which the resolution was adopted which by the Tammany to take their seats in the Convention. The unanimity with which the resolution was adopted which by the Tammany to take their seats in the Convention. The unanimity of the delegates. Then, again, when the venerable sammy filten was speaking, he declared that he intended to vote not only to exclude Tammany, but also to admit the conventing delegation, and further, that although Tammany for free delang entertained by the majority of the delegation for he was renamed as a member at large on the Sate Committee, and by unanimous vote of that committee. The world not vote for any of the Assemblymen or Senators nominated by Tammany, the evidences of approval were unmistakable on

ted, and then they could return to their cor FIGHT THEIR BATTLE AT HOME,

show their real strength in the contest, and con back next year represented, not as one bod delegaces, but by representative men from Assembly district demand full and proper reco

tion.

It may readily be determined, therefore, how futile is the attempt to claim a victory in the Convention when every item of decisive action shows that the temper of the Convention was decidely opposed to the recognition of Tammany as representing the democracy of the city of New York, and that the Convention itself was confrolled in no way by the power or prestige of the Tammany oligarchy.

SINGULAR SEIT IN CALIFORNIA.

The Spanish Consul and the Chief of Police of

The Spanish Consul and the Chief of Pelico of San Francisco Involved.

(From the san Francisco Alra, Sept. 29.)

Suit was commenced yesterday in the Fourth District Court by Buenayentura Pereda, a Spaniard, against camilo Martin, Spanish Consul; P. Crowley, Chief of Police, and J. W. Lees, captain of the detective force, to recover \$35,003, in bonds, gold coin, notes and securities, which he says, they unlawfully withhold from him, and an additional sum of \$5,00, by way of a penalty for the same. The suit is one of the most singular and extraordinary that has ever been commenced in any of our State Courts, and throws open some of the deta is of a daring and extensive robbery. The complaint states that out the 15th of September, 1871, the plaintiff was possessed of \$8,300 in gold coin, \$11,300 in notes of the Bank of Havana, a drait for \$4,000 in favor of the plaintiff, drawn by Mars. Ferrol & Co., of Orense, in Spania; a bill of exchange drawn by the same firm in layor of Gertrudes Santeiro on Parras, Borras & Co., for \$2,000; a receipt or acknowledgment in writing executed by Felix Las Cavas to plaintiff at Panama for \$5,000, gold; a gold music box, value \$4,0, and a portfelio and other articles, of the entire value of \$55,000 gold; a gold music box, value \$4,0, and a portfelio and other articles, of the entire value of \$55,000 gold; a gold music box, value \$4,0, and a portfelio and other articles, of the entire value of \$55,000. Bid them to his damage in the sum of \$5,000. He demands judgment for that sum and for \$55,000, gold; a gold music box, value \$4,0, and a portfelio and other articles, of the entire value of \$55,000. He demands judgment for that sum and for \$55,000, gold; a gold music box, while states that the defendants wronginity and by force took said money and effects from the possession of the plaintiff, and still retain them to his damage in the sum of \$5,000. The folial for the sum of \$50,000. The folial for the sum of \$50,000. The folial for the sum of \$50,000. The robbery had for the sum of \$

robbery and other particulars reached the Chief of Police. A search was immediately instituted for Police, and it was found that he had sailed for Lima. His return was closely watched, and immediately upon his arrival the detectives were aware of the fact. Owing to the international relations existing between this country and Spain the usual course pursued in suca cases was not ionlowed, and on the 14th of September Captain Lees had made negotiations with Pereda, by which he agreed to hand nim over all the money in his possession. Camito Martin, Spanish Consul, was cognizant of all the transactions octween Captain Lees and Pereda. On the 14th of September Pereda, accompanied Captain Lees to the odice of Mr. Martin, and in his presence and the presence of Chief Crowley, voluntarily handed over the gold, drafts, bills of exchange and other valuables set form in the complaint to Captain Lees for the Spanish government. In the presence of this gentlemen pamed Pereda was distinctly informed that ne should consider the act entrety voluntary on his part, and he decared that his not was voluntary. He also signed in the same voluntary manner a stipunation of transfer, in which he sets forth that he obtained the money from a copy on the street in Santiago, that he believed the money was to en, and that it belonged to the Spanish government. Chief rowley and camillo shartin were present when the money was turned over for the protection of Captain Lees, and they are conversan, with all the lacus and circumstances relating thereto. Captain Lees at once formally noticed the Spanish Consul that he held the money for the use of the Spanish government, and he had the season to that of Captain Lees, and they are conversan, with all the lacus and circumstances relating thereto. Captain Lees at once formally noticed the Spanish of the spanish government, and he had the season to that of Captain Lees, on the 14th of September, the draits are formally and the spanish grow the spanish grow, which he held to be captain Lees, and they

HIGHWAY ROBBERY.

quietly wending his way homewards about three o'clock on Sunday morning. He had reached the corner of Ridge street when two men came up to him. The biggest one asked him what time of night it was. Franzes answered, "I don't know night it was. Franzes answered, "I don't know what time it is; ask somebody eise." Immediately one of the men gracoled his watch chain, broaking it off short near the ring of the watch, the other holding him around the neck with the grip of a profess onal garder. Officer Charles Burns, of the Eleventa precinct, who was standing on the other side of the side of the street, came running over at this time. He attempted to arrost one of the desperadors when he was felied to the ground oy a blow on the back of the neck. He jumped and fred two snots after the fagitives, but missed them. Knowing who they were he arrested them both in their beds during the morning, Yesterday they were arraigned before Judge's oft at Essex market, Incie names are Louis Leppard, of No. 16 Chinon street, and Henry Asheorianer, of No. 11 Ringe street. The Justice committed them without bail.

FOREIGN MISCELLAVEOUS ITEMS.

Stonehenge, after a layer of thirty years, writes of express his sorrow at the demolition which had been effected by the hand of man. There were many visitors while ne was there, and a constant chipping of stone block the solithide of the place. He suggests that some means may be taken to preserve the most remarkable monument of antiquity in England.

gests that some means may be taken to preserve the most remarkable monument of antiquity in England.

The Turkish government has just sent a circular to all foreign Powers, in which it demands that all foreign post offices in the country should be about need. The circular states that the government have now adopted measures which was remiser the postal service regular and sectre. Thus foreign post offices, which are, to a certain extent, an encroachment on the authority of the Shaan, are no longer necessary.

A correspondent of the London Globe says:—On farms of 200 to 500 acres, over null the area of fremand, a next and boy are only embloyed, the money expended being from £20 to £30 on each of such farms, while, if cultivated, £1 los, to £2 an acre would be the about wages, as paid in the Lowiands of scotland and England. In round numbers deven acres of arable had are in grass compared to the four acres in cultivation.

The engineers on strike in Brussels demand that the day's work shall be ten hours—that is 10 say, 113, with an hour and a half for dinner—and that overtime shall be paid for at double rafes. The strike commenced in one large factory, the mea continuing to work in three others, and avowing their michanism of supporting those on strike. As soon as one firm has agreed to the workmen's terms the men embloyed in another will strike, so that all the different employers are to be compelled in turn to yield.

The Paris Liberté publishes the following letter, which has been addressed to the editor. The braces

terms the men employed in another will strike, so that all the different employers are to be compelled in turn to yield.

The Paris Liberts publishes the following letter, which has been addressed to the editor. The lotter is written in print characters, and was forwarded through the post.—Two hundred thousand cinzens is written in print characters, and was forwarded through the post.—Two hundred thousand cinzens of Paris, four million catters in Europe are active members of the Internationale. You are required, under penalty or death, to discontinue your attacks upon the members of the Commune. The Sergens de ville, the tardes de Paris and their families are all condemned to death within a year by the Supreme Consent of the Association, as are also all the officers of the butchering regiments. The capitalists are condomned. We have numbers; we have strength; discipline is being organized. Old society flust perish; it will perish. Not a full relationate is mistress of Europe."

The Pail Mali's Bonn correspondent tells an adminate story of a German general who, on inspecting his troops not long ago, addressed them thus:—"Now, my children, we can once more get seriously to work. The pasture of war is at an end, and drill must go on regularly as herefolore." The great Holsenzollern drill sergeant must have got his agatem well into the very heart of the people before that speech could have been even imagined. It is too much an end in itself that when the moment for practical application comes it almost seems unworthy of the greparation, to be an inadequate occasion for the display of the powers gained.